



Cincinnati Police Department

STAFF NOTES

July 18, 2006

Colonel Thomas H. Streicher, Jr., Police Chief



Planning Section

- [New Strategic Plan](#)
- [Legal Update – Recent US Supreme Court Rulings](#)
- [Revision to Procedure 12.171, Use of the Mobile Command Center](#)
- [Revised Form 202F, Flex Time Accrual/Usage of Flex Time Report](#)

Chief's Office

- [Thank You Letters](#)
- [Commendations](#)

1. NEW STRATEGIC PLAN

In cooperation with community leaders, citizens, and Department members, a new Strategic Plan has been developed. This document gives direction for the Police Department for the next several years.

It has been developed as a broad document, allowing for changes as necessary. Each strategy has been assigned an owner, an officer in the Department, who will be responsible for developing and reporting on that strategy. The reports will be completed bi-annually, beginning January, 2007, for the last half of 2006. Further instructions on completing this report will be forthcoming.

The new Strategic Plan is available on the Intranet and on the Department web page.

2. LEGAL UPDATE - RECENT US SUPREME COURT RULINGS

Two recent Supreme Court rulings deal with policing issues. The first involves two separate domestic violence cases and the admissibility of statements given by the victims when the victims did not appear for the court hearings.

The second case originated in California and deals with the legality of a police officer searching a parolee without probable cause or reasonable suspicion.

Davis v. Washington explains when a recording can be used if someone is not in court to testify. If a person comes to the police station and is questioned and recorded about a past crime, but fails to appear in court, then that recording is not allowed. However, a recording of a 911 call is made for the purpose of helping police officers respond to an ongoing emergency and is admissible even if a witness does not appear. 911 tapes can always be used to establish the relationship of the parties, or to establish when an incident occurred.

In summary, even if someone comes to the district to report a domestic violence that occurred earlier that day, and is recorded by the investigating officer, that tape cannot be used if that person does not come to court. On the other hand, a 911 call in which the caller says that a man is beating his wife, can be used even though the caller does not appear.

Samson v. California is a very narrow ruling for persons who are known to still be on parole. They can be stopped and searched without probable cause or reasonable suspicion. However, once the person completes parole he cannot be searched without at least reasonable suspicion. The officer who searches a parolee should know the person's status, not assume it.

3. REVISION TO PROCEDURE 12.171, USE OF THE MOBILE COMMAND CENTER

Procedure 12.171, Use of the Mobile Command Center, has been revised.

The Mobile Command Center (MCC) is now stored at the Regional Operation Center, 2000 Radcliff Drive. Tactical Planning Unit will now maintain the current list of qualified operators.

Districts/sections/units wishing to use the MCC for special events or incidents must submit the request on a Form 17 through channels. After approval by the Police Chief or the affected bureau commander, the requesting district/section/unit should contact the Tactical Planning Unit during normal business hours to reserve the MCC.

These revisions are effective immediately. Personnel should review this procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

4. REVISED FORM 202F, FLEX TIME ACCRUAL/USAGE OF FLEX TIME REPORT

Form 202F, Flex Time Accrual/Usage of Flex Time Report, has been revised. Employees will provide an explanation of why the accrual is necessary when completing the report.

This revision is effective immediately. To access the Form 202F, open the Word application. Select "New" in the file menu, select "General Templates" on the right-hand side of the screen and click on Form 202F.

5. THANK YOU LETTERS

[Attached](#) to these Staff Notes are several letters of appreciation and praise written to the Police Chief for the professionalism displayed by our Department and specifically the following officers:

Police Officer Jenny Ernst

Police Officer Carlos Sherman

COMMENDATIONS FOR THE WEEK OF 07/18/06-07/24/06

**POLICE SPECIALIST RICK KIBBEE
POLICE SPECIALIST ERIC KARAGULEFF
DISTRICT FIVE**

On March 17, 2006, Police Specialist Rick Kibbee and Police Specialist Eric Karaguleff were involved in the investigation and arrest of Jonathan Smith and Rico Mixon, both 16 years of age. These arrests put an end to a series of armed robberies that occurred inside convenience stores and pharmacies in early March 2006. Four offenses occurred inside the City of Cincinnati and one occurred just outside the City limits. Additional follow up investigation was completed by Financial Crimes Squad investigators which led to charges against these individuals for committing a "takeover" style bank robbery on August 3, 2005. Both subjects were armed in all of these offenses and shots were either attempted or fired on three occasions.

On the morning of March 16, 2006, a special meeting was organized at District Four by Police Specialist Joy Ludgatis to discuss and share information on the string of robberies. During that meeting Specialist Karaguleff mentioned that Jonathan Smith could be a possible suspect. Later that afternoon, District Five officers were investigating an accidental shooting when they came into contact with Jonathan Smith and Rico Mixon. Specialist Kibbee decided to interview Jonathan Smith regarding the shootings and the recent robberies and was able to gain a confession. After an exhaustive overnight investigation, Specialist Karaguleff assisted with a search warrant which led to the arrest of Rico Mixon. Utilizing information gained from Specialist Ludgatis' meeting, other district investigators, the Financial Crimes Squad, and other police agencies the officers were able to sign a total of 13 charges against the arrestees. Specialists Kibbee and Karaguleff spent numerous days completing paperwork and processing evidence. On June 1, 2006, both Jonathan Smith and Rico Mixon were indicted as adults on all 13 counts.

Specialists Kibbee and Karaguleff are to be commended for their dedication to teamwork, excellent investigative techniques, and exhaustive investigative follow up resulting in two dangerous suspects being arrested, a firearm removed from the streets and the clearance of six aggravated robbery offenses.

12.171 USE OF THE MOBILE COMMAND CENTER

Reference:

Procedure 12.030 – Vehicles: Assignment, Use, and Maintenance
Procedure 12.035 – Reporting Police Vehicular Accidents and Damage
Manual of Rules and Regulations – 2.03, 7.01, 7.03

Information:

The Mobile Command Center (MCC) is stored at the Regional Operations Center located at 2000 Radcliff Drive.

Roof clearance for the MCC is 11'11", therefore the MCC cannot be operated under some overpasses, i.e.; railroad overpass at 6300 Madison Road and the Rookwood overpass at 1699 Eastern Ave. Use caution as there may be other overpasses too low to pass under.

Tactical Planning Unit maintains a current list of qualified operators.

There is no smoking in the MCC.

Purpose:

Provide guidelines for the proper use, care, and maintenance of the MCC.

Procedure:

A. Non-emergency use of the MCC

1. Districts/sections/units wishing to use the MCC for special events or incidents must submit the request on a Form 17 through channels. After approval by the Police Chief or the affected bureau commander, the requesting district/section/unit should contact the Tactical Planning Unit during normal business hours to reserve the MCC.

B. Emergency Use of the MCC

1. In an emergency, the Night Chief or a captain or above can request the MCC through PCS.
 - a. A PCS supervisor will contact an operator to pick up the MCC and respond to the scene.

C. Operation of the MCC

1. Only Police Department or Fleet Services personnel who have the following qualifications may operate the MCC:
 - a. A valid driver's license.
 - b. Successful completion of training provided by Training Section.

2. Operator responsibilities

- a. Complete a Form 427, Cincinnati Police Vehicle Inspection Report, each time the MCC is placed in use. Report any damage to the officer in charge (OIC) of the event or incident.
 - 1) Check that all additional equipment assigned is accounted for and operational.
 - 2) All communications equipment such as radios and cell phones will be secured in the communications cabinet.
 - a) If any cell phone is removed, the user must provide the MCC operator a completed Mobile Command Center Telephone Log when returned.
- b. Complete the sign-out log each time MCC is put in use. The sign-out log is located in the MCC.
- c. Position the MCC in a safe and secure area.
- d. Notify PCS of the location of the MCC when powered up.
- e. Ensure the MCC is set up properly and safely, including electrical connections.
- f. Assist other personnel in the proper use of any equipment in the MCC.
- g. When unattended, set the alarm on the MCC.
 - 1) Instruct the event or incident OIC how to set the alarm in the absence of the operator.
- h. Return the MCC to the Regional Operations Center in a clean condition free of any debris or trash.
- i. On the next business day after returning the MCC to quarters, notify Tactical Planning Unit of any supplies needed for the MCC.

3. Event or incident OIC responsibilities

- a. Ensure the MCC is used for its intended purpose.
- b. In the absence of the assigned operator ensure the alarm is set.
 - 1) Initiate a directed patrol (DIRPAT).
 - 2) Advise PCS of location and times the MCC will be unattended.
- c. Permit only authorized personnel inside the MCC.
 - 1) Record all cellular phone calls and FAX transmissions on the Mobile Command Center Telephone Log.

- a) Personnel will use the cellular phone and FAX machine only to conduct City business. Personal calls are prohibited.
 - b) When the event or incident is completed send the Mobile Command Center Telephone Record to Tactical Planning Unit.
- d. Email Tactical Planning Unit with any defects or damage with the MCC on the next business day.
 - 1) Ensure all necessary forms and reports are completed according to Procedure 12.035, Reporting Police Vehicular Accidents and Damage.
- 4. In the event of mechanical failure contact the Municipal Garage.

135 Parker Street
Cincinnati OH 45219
June 30, 2006

Chief of Police, Thomas Striker
Cincinnati Police Department
824 Broadway
Cincinnati OH 45202

Re: Detective Jenny Ernst
The State of Ohio v. Shannon Gregory

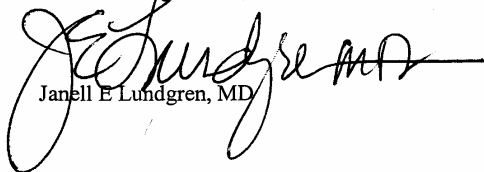
Dear Chief Striker:

I was the victim in the above noted case. PO Jenny Ernst was the detective who was assigned to this matter and who worked with me every step of the way until its conclusion on June 19th, 2006.

I wish to express my opinion to you that Officer Ernst is an outstanding police officer and moreover, an outstanding individual. I felt and continue to feel extraordinarily lucky to have had her assigned to my case. This whole ordeal was very stressful for me and I am not sure what I would have done without her unwavering support, compassion, understanding, strength, candor and patience. She handled this very sensitive matter with utmost care and respect. She volunteered to be at the court hearings with me and if she couldn't attend, she sent someone in her stead. She made herself available by phone at any time and under any circumstances when I felt I needed her assistance.

Being a physician, I know that it is important to always keep in mind the patient's perspective and to be sensitive to any fears they might have because they don't necessarily understand how the "system" works. I would imagine that this, in some ways, parallels being a police officer when working with a victim of a crime. Officer Ernst always made me feel that she was listening to and respecting my concerns, fears, wants and needs. She provided constructive, thoughtful feedback and answers to any questions or issues I raised during this investigation/court proceedings. I will be eternally grateful to her and to the Cincinnati Police Department as a whole for all of the help I received in this matter. Thank you.

With sincere gratitude,



Janell E Lundgren, MD

Jay & Chrissie Sofranec

To whom it may concern:

My Husband + I would
like to thank Officer
Carlos Sherman for Removal
of Junk car on our street.
Hopefully he can do the same
for the people who are
bring our little community
down hill.

Thanks so much!

Christina A
Sofranec.

101 Dorsey St. • Cinti., OH 45210 • (513) 721-7596